

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

MARSHIELA SOWARDS, on behalf of
herself and her minor children,

Plaintiff,

VS.

No.

GRANGE MUTUAL CASUALTY INSURANCE

Defendant.

NOTICE OF REMOVAL

Defendant, GRANGE MUTUAL CASUALTY COMPANY, incorrectly styled Grange Mutual Casualty Insurance, hereby notifies the Judges of the United States District Court for the Middle District of Tennessee, the clerk of the Circuit Court of Dickson County, Tennessee and Marshiela Sowards, that the action described herein and filed in the Circuit Court of Dickson County, Tennessee, is removed to the United States District Court for the Middle District of Tennessee, pursuant to 28 U.S.C. Section 1441.

1. On February 22, 2007, Plaintiff, Marshiela Sowards, filed a civil action bearing Docket No. CV2349 against the Defendant, Grange Mutual Casualty Company, incorrectly styled Grange Mutual Casualty Insurance, in the Circuit Court of Dickson County, Tennessee. Service of the complaint and summons was made upon Grange Mutual Casualty Company on March 13, 2007, by certified mail through the Department of Insurance of the State of Tennessee.

2. This action is filed by Plaintiff for proceeds allegedly due under a contract of insurance written by Defendant, Grange Mutual Casualty Company, insuring Plaintiff's residence and contents in Dickson County, Tennessee, which property was allegedly destroyed by a fire occurring on or about November 24, 2005.

3. Petitioner seeks removal of this action to this Court upon the grounds that the controversy is wholly between citizens of different states and involves an amount in controversy which exceeds Seventy-five Thousand Dollars (\$75,000.00), exclusive of the interest and costs, 28 U.S.C. Section 1332. Specifically, the complaint alleges that the building and contents were destroyed by fire and that the dwelling was insured for \$145,511.00, \$87,307.00 on the contents plus an additional twenty-five (25%) percent under the Tennessee Bad-faith Penalty Statute codified at Tennessee Code Annotated § 56-7-105, plus attorneys' fees and costs and such other relief as the court deems just and equitable.

4. Plaintiffs are residents and citizens of the State of Tennessee and were citizens of the State of Tennessee at the time of the filing of this action and at the time of removal. Defendant, Grange Mutual Casualty Company, is a corporation incorporated in Ohio, with its principal place of business in Columbus, Ohio. The amount in controversy exceeds Seventy-Five Thousand Dollars (\$75,000.00), exclusive of interest and costs.

5. This notice is filed within the time prescribed by 28 U.S.C. Section 1446(b).

6. A copy of the Summons and Complaint, being all the papers served upon the Defendant, is attached hereto.

WHEREFORE, Notice is hereby given that the said civil action number is removed from the Circuit Court of Dickson County, Tennessee, to this Court.

RAINEY, KIZER, BUTLER, REVIERE & BELL, P.L.C.


Russell E. Reviere (07166)
Attorney for Defendant
209 East Main Street
P. O. Box 1147
Jackson, TN 38302-1147
(731) 423-2414

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing document was forwarded first class U.S. Mail, postage prepaid to:

Jonathan A. Street
Attorney at Law
116 Third Avenue South
Nashville, TN 37201

counselor of record for Plaintiffs, and by electronic means via the Court's electronic filing system.

This the 28th day of March, 2007


Russell E. Reviere